

July 16, 2020

Christina Gower
3327 Edinburgh St
Port Coquitlam, BC V3B 4K2

Via registered mail and email (christiegower25@gmail.com)

Re: Article 12 Complaint

Dear Ms. Gower:

This is to advise you that a complaint has been made against you under Article 12 of the BCNU Constitution and Bylaws. A copy of the complaint is attached.

This matter will be referred to the Complaints Investigation Committee pursuant to Article 12.05 (c).

Regards,

BRITISH COLUMBIA NURSES' UNION



Umar Sheikh
Chief Executive Officer

cc: Aman Grewal, BCNU Chair, Complaints Investigation Committee

British Columbia Nurses' Union

Official Complaint Form

NURSES
UNION

- This form is to be completed by a BCNU member who wishes to file a Complaint against another BCNU member, for violation of the Constitution and Bylaws or the Policies and Procedures of the Union.
- If you wish to file a Complaint against another member, please read the Constitution and Bylaws (particularly Article 12) and the attached Policies and Procedures carefully before completing this form.
- The form must be complete in order to be accepted by the Union. Once the form is complete, please forward to the BCNU office to the attention of the Chief Executive Officer. The Chief Executive Officer will forward a copy of the form to the **respondent member** and to the Complaints Investigation Committee (CIC).
- You will be contacted by the Chief Executive Officer or the Chair of the Complaints Investigation Committee regarding action on your complaint.

COMPLAINANT(S)

Name Lynn Lagace		BCNU Member ID# 494165	Region Simon Fraser
Address 2510 Camrose Drive		Work Number	
Address	Burnaby	Cell Number 604-219-4162	Home Number
City	BC	Home/Union Email lynnlagace@bcnu.org	
Province	V5A 2Y5		
Postal Code			

Name Wendy Gibbs		BCNU Member ID# 982326	Region Simon Fraser
Address 21080- 122 nd Avenue		Work Number	
Address	Maple Ridge	Cell Number 604-240-1242	Home Number
City	BC V2X 8C1	Home/Union Email wendygibbs@bcnu.org	
Province			
Postal Code			

RESPONDENT

Name Christina Gower		BCNU Member ID# 66023	
Address 3327 Edinburgh Street		Work Number	
Address	Port Coquitlam	Cell Number 778-875-0840	Home Number
City	BC	Home/Union Email Christiegower25@gmail.com	
Province	V3B 4K2		
Postal Code			

Provide an account of the incident(s) leading to this complaint. (attach extra paper if needed)

June 18, 2020- Lynn received email from Christina Gower- email states she has recorded a meeting held at the White Spot restaurant in Coquitlam on February 24, 2020 to discuss steward appointment. Meeting was between Christina Gower, Wendy Gibbs and Lynn Lagace.

Email threatening in nature: "I have it all recorded. Do you want to think a bit harder?"

Christina did not run in the steward election in June 2019.

We followed BCNU Policy 5.6.2 Steward Appointments in between Steward elections. Christina does not meet the criteria's. We met at her request and we had a very respectful discussion and informed her of our decision. We were not informed of this meeting being recorded and this is in breach of policy 6.0.13

Christina went around RCH with other BCNU member in not good standing, gathering signatures contravening our decision not to appoint.

Furthermore, I think there is a breach of duty under policy 6.1.1

Christina often publicly speaks negatively of BCNU leaders and does not abide by BCNU's mission and values. Her posts are often misleading: Recent FB post on nurse engaged group, June 25th, 2020 @0832

"I have had 24 people request surveys for the upcoming Bcnu elections but I have not heard from every region. If you are running for any position, send me your info!" "Member asked if she is on the nomination committee and Christina did not respond. Another member asked if it is on the member portal, she did not respond.

Further examples of posts and supporting emails and documentation can be provided to the committee on request.

As per bylaw article 11.02: All members are expected to comply with the policies and procedures as approved by council.

ALLEGED VIOLATION:

Date: February 24 Time: 1000 Location: White Spot Coquitlam
Date: _____ Time: _____ Location: _____

REMEDY OR OUTCOME REQUESTED:

-Provide a copy of recording to the complainants to the and BCNU. Destroy personal copy of recording after it is provided.

-Cease all efforts to become a steward until the next steward election where her peers can determine her stewardship.

-Cease public messaging via social media re: BCNU election

-Written appology to both complainants stating she now understands the process to become a steward and will abide by BCNU policy and procedures to be elected as a steward.

-In regards to the recording of a peer and the threat: That is more serious and may require a higher level of discipline: being made a member not in good standing for a period of 2 years.

WITNESS(S):

Name Roy Hansen		BCNU Member ID# 43104	
Address 1927 Morgan Ave		Work Number 604-520-4039	
Address		Cell Number 604-765-2124	Home Number
City	Port Coquitlam		
Province	BC		
Postal Code	V3C 1K1	Home/Union Email royhansen@bcnu.org	

Name Frank Martens		BCNU Member ID# 1015738	
Address 2136 Winston Court		Work Number	
Address		Cell Number 604-314-5775	Home Number
City	Langley		
Province	BC		
Postal Code	V2Y 1H5	Home/Union Email rchstewardfrank@gmail.com	

Name Maria Huertas		BCNU Member ID# 872039	
Address 9283 Government St		Work Number	
Address		Cell Number 604-415-9211	Home Number
City	Burnaby		
Province	BC		
Postal Code	V3N 0A5	Home/Union Email mariahuertas@bcnu.org	

We/I (the complainant(s) listed above) are officially lodging a complaint against the respondent under Article 12 of the BCNU Constitution and Bylaws.

Please circle the elements of Article 12.03 of the BCNU Constitution and Bylaws that you say apply to this complaint:

24.02 Breach of Duty

- (a) A Member commits a breach of duty where they:
 - i. Violate any provision of the Constitution and Bylaws or the Policies and Procedures;
 - ii. Act in any manner that constitutes a breach of duty as outlined in the Policies and Procedures; or
 - iii. Act in any manner which jeopardizes the advancement of the purposes or welfare of the BCNU or that could discredit the reputation or integrity of the BCNU or harm its membership.

Please circle the elements of Policy 6.1.1 of the Policies and Procedures that you say apply to this complaint:

A breach of duty includes, but is not limited to:

1. Violating any provisions of the Constitution and Bylaws and Policies and Procedures;
2. Carrying out any conduct which may be detrimental to the reputation or integrity of the BCNU, as determined by Council or the Annual Convention;
3. Willfully engaging in any acts or course of conduct which are inconsistent with the Collective Bargaining process or which constitute a breach of an existing Collective Agreement;
4. Causing or advocating a stoppage of work because of any alleged grievance or dispute in violation of any existing Collective Agreement or without the consent of Council;
5. Obtaining, or assisting another person to obtain, membership through fraudulent means or by misrepresentation;
6. Revealing, without proper authorization, information confidential to the BCNU to anyone not entitled to it;
7. Without receiving proper authority to do so, furnishing a complete or partial list of the membership of the BCNU to any person or persons other than those whose official position entitles them to have such a list;
8. Publishing or circulating, either orally or otherwise, false reports or deliberate misrepresentations concerning the BCNU (including its leadership or Staff) or any Member in respect to any matter connected with the affairs of the BCNU;
9. Making a complaint under the Constitution and Bylaws or Policies and Procedures without reasonable grounds for believing the complaint to be true;
10. Commencing, or advocating that a Member commence a proceeding in a court or tribunal against the BCNU, any individual holding an Elected Position, any other BCNU representative, or any Member, in any matter concerning the affairs of the BCNU, without first exhausting all remedies provided for in the Constitution and Bylaws;
11. Crossing a picket line of the BCNU or any union or organization of workers supported by the BCNU when under no legal duty to do so;
12. Attending at work during a lawful work stoppage, whether or not a picket line is established, unless

compelled to do so by lawful authority;

13. Working as a replacement for an employee not at work due to a strike, lockout or other stoppage when under no legal duty to do so;

14. Failing to perform, without reasonable justification, picketing or any other duty reasonably required of Members during a lawful work stoppage;

15. Failing to pay when due, the dues, levies or fines imposed by the BCNU or failing to authorize their payment by payroll deduction;

16. Committing a fraud in, or otherwise interfering with, or attempting to interfere with a BCNU election;

17. Interfering with, or attempting to interfere with, the rights of a Member provided for in the Constitution and Bylaws;

18. Attempting to bring about the withdrawal from the BCNU of any Member, or group of Members, in any way other than through procedures set out in the Constitution and Bylaws;

19. Working in the interest of any organization competing with the BCNU in a manner which is detrimental to the BCNU;

20. Working in the interests of, or accepting membership in, any organization competing with the BCNU to represent persons eligible for membership in the BCNU;

21. Unlawfully receiving, removing, retaining, destroying, erasing, mutilating or misappropriating any property belonging to the BCNU or in the possession of the BCNU;

22. Obstructing the orderly process of a meeting of the BCNU including the Provincial Executive Committee or any Committee meeting or failing to keep order when directed to do so by the Chairperson of any such meeting;

23. Attempting, by the use of harassment, coercion or intimidation of any kind, including threats of legal action, to cause a Member to refrain from carrying out their obligations, or exercising their rights under this Constitution and Bylaws;

24. Using, without authority, the name, logo or brand of the BCNU for any improper purpose, including but not limited to soliciting funds or advertising;

25. Wrongfully interfering with any Member, incumbent in an Elected Position or any other BCNU representative, in the discharge of their duties;

26. Failing to fulfil their duties in an Elected Position;

27. Refusing to or failing to communicate with or provide information to or to appear, without reasonable excuse, at a meeting convened by the Complaints Investigation Sub-Committee or to provide it requested documents or to comply with any other direction of the Complaints Investigation Sub Committee;

28. Refusing or failing to appear, without reasonable excuse, as a witness before a Hearing Board or to provide it requested documents or to comply with any other direction of a Hearing Board; or

29. Any other reason, that Council (when the Annual Convention is not in session) in its sole discretion considers to be reasonable, having regard for the purpose, integrity and welfare of the BCNU.

Please Note:

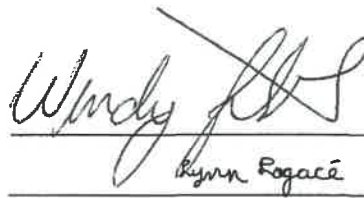
The form must be complete in order to be accepted by the Union. Once the form is complete, please forward to the BCNU office to the attention of the Chief Executive Officer.

Mail to: BC Nurses' Union
4060 Regent Street
Burnaby, BC V5C 6P5
Attention: Chief Executive Officer

The Chief Executive Officer will forward a copy of the form to the **respondent member** and to the Complaints Investigation Committee (CIC).

You will be contacted by the Chief Executive Officer or the Chair of the Complaints Investigation Committee regarding action on your complaint.

Complainant
Signature:
Complainant
Signature:


Wendy
Lynn Fogaré

Date: July 2nd
2020
Date: July 2, 2020

OFFICE USE ONLY:
Chief Executive
Officer:
(or designate)



Date
Received: July 3, 2020

Copy to: Respondent
Complainant
Chief Executive Officer
Complaints Investigation Committee